

MARK LABATON #159555
KREINDLER & KREINDLER LLP
707 Wilshire Boulevard
Los Angeles, California 90017
Telephone: (213) 622-6469
Facsimile: (213) 622-6019
Email: mlabaton@kreindler.com

Local Counsel

LABATON SUCHAROW LLP
CHRISTOPHER J. KELLER
ANDREI V. RADO
ALAN I. ELLMAN
140 Broadway
New York, New York 10005
Telephone: (212) 907-0700
Facsimile: (212) 818-0477
Email: info@labaton.com

*Proposed Lead Counsel and Counsel for Plaintiff
State-Boston Retirement System and Norfolk County
Retirement System*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JOSEPH LEONE, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

S. TREZEVANT MOORE, JR.,
CHRISTOPHER J. ZYDA, ELEANOR
CORNFELD MELTON, RONALD VIERA,
DIMITRIOS PAPATHEOHARIS, and
LUMINENT MORTGAGE CAPITAL,
INC.,

Defendants.

Civil Action No.: 3:07-CV-04073-PJH

CLASS ACTION

Honorable Phyllis J. Hamilton

Hearing

Date: Nov. 14, 2007

Time: 9:00 a.m.

Courtroom: 3

(Additional Captions on the Following Page)

**NOTICE OF MOTION OF STATE-BOSTON RETIREMENT SYSTEM AND NORFOLK
COUNTY RETIREMENT SYSTEM FOR CONSOLIDATION, APPOINTMENT AS
LEAD PLAINTIFF, AND APPROVAL OF SELECTION OF LEAD COUNSEL**

ROSENBAUM CAPITAL LLC,
Individually and On Behalf of All Others
Similarly Situated,

Plaintiff,

vs.

LUMINENT MORTGAGE CAPITAL,
INC., GAIL P. SENECA, SEWELL
TREZEVANT MOORE, JR., and
CHRISTOPHER ZYDA,

Defendants.

Civil Action No.: 3:07-CV-04096-PJH

CLASS ACTION

Honorable Phyllis J. Hamilton

Hearing

Date: Nov. 14, 2007

Time: 9:00 a.m.

Courtroom: 3

HOWARD J. KAPLOWITZ IRA,
Individually and On Behalf of All Others
Similarly Situated,

Plaintiff,

vs.

LUMINENT MORTGAGE CAPITAL,
INC., S. TREZEVANT MOORE, JR., and
CHRISTOPHER J. ZYDA,

Defendants.

Civil Action No.: 3:07-CV-04140-PJH

CLASS ACTION

Honorable Phyllis J. Hamilton

Hearing

Date: Nov. 14, 2007

Time: 9:00 a.m.

Courtroom: 3

ELLIOT GREENBERG, Individually and
On Behalf of All Others Similarly Situated,

Plaintiff,

vs.

LUMINENT MORTGAGE CAPITAL,
INC., GAIL P. SENECA, SEWELL
TREZEVANT MOORE, JR., and
CHRISTOPHER J. ZYDA,

Defendants.

Civil Action No.: 3:07-CV-04141-PGH

CLASS ACTION

Honorable Phyllis J. Hamilton

Hearing

Date: Nov. 14, 2007

Time: 9:00 a.m.

Courtroom: 3

1 PEM RESOURCES LP, Individually and On
2 Behalf of All Others Similarly Situated,

3 Plaintiff,

4 vs.

5 LUMINENT MORTGAGE CAPITAL,
6 INC., GAIL P. SENECA, SEWELL
7 TREZEVANT MOORE, JR., and
CHRISTOPHER J. ZYDA

8 Defendants.
9
10

Civil Action No.: 3:07-CV-04184-PJH

CLASS ACTION

Honorable Phyllis J. Hamilton

Hearing

Date: Nov. 14, 2007

Time: 9:00 a.m.

Courtroom: 3

11 ALLEN M. METZGER, Individually and
12 On Behalf of All Others Similarly Situated,

13 Plaintiff,

14 vs.

15 LUMINENT MORTGAGE CAPITAL,
16 INC., GAIL P. SENECA, SEWELL
17 TREZEVANT MOORE, JR., and
CHRISTOPHER J. ZYDA

18 Defendants.
19
20
21
22
23
24
25
26
27
28

Civil Action No.: 3:07-CV-04686-PJH

CLASS ACTION

Honorable Phyllis J. Hamilton

Hearing

Date: Nov. 14, 2007

Time: 9:00 a.m.

Courtroom: 3

1 **PLEASE TAKE NOTICE** that State-Boston Retirement System and the Norfolk County
 2 Retirement System ("Boston and Norfolk") will respectfully move this Honorable Court on
 3 November 14, 2007 in the Courtroom of the Honorable Phyllis J. Hamilton, Courtroom 3, for an
 4 order pursuant to Section 21D(a)(3) of the Securities Exchange Act of 1934 (the "Exchange
 5 Act"), 15 U.S.C. § 78u-4(a)(3), as amended by the Private Securities Litigation Reform Act of
 6 1995 (the "PSLRA"); and Rule 42 of the Federal Rules of Civil Procedure: (i) consolidating the
 7 related actions against Luminent Mortgage Capital, Inc.; (ii) appointing Boston and Norfolk as
 8 lead plaintiff in the action; and (ii) approving Boston and Norfolk's selection of Labaton
 9 Sucharow LLP as Lead Counsel for the Class.

10 The grounds for this motion are stated in the attached memorandum of points and
 11 authorities in support of this motion and the Declaration of Alan I. Ellman submitted herewith.

12 Boston and Norfolk is unaware of any other opposing movants for appointment as lead
 13 plaintiff, and was therefore unable to discuss with opposing counsel the contemplated motion.
 14 Counsel for defendants have not made an appearance in the action.

15 A copy of this Notice has been sent to all parties on the attached proof of service.

16
 17 Dated: October 9, 2007

Respectfully submitted,

18 By: /s/ Mark Labaton

19 Mark Labaton (#159555)

KREINDLER & KREINDLER LLP

20 707 Wilshire Boulevard

21 Los Angeles, California 90017

22 Telephone: (213) 622-6469

23 Facsimile: (213) 622-6019

Local Counsel

LABATON SUCHAROW LLP

Christopher J. Keller

Andrei V. Rado

Alan I. Ellman

140 Broadway

New York, New York 10005

Telephone: (212) 907-0700

Facsimile: (212) 818-0477

*Attorneys for State-Boston Retirement System and
Norfolk County Retirement System and Proposed
Lead Counsel for the Class*